

By Jim

S.B. No. 1304

A BILL TO BE ENTITLED

AN ACT

relating to the appropriation of state water for recharge of certain water bearing sands and aquifers, except the Edwards Aquifer in Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.023, Water Code, is amended to add Sections (e), (f) and (g) which read as follows:

(e) State water, including the normal or ordinary flow of a stream or water course, may be appropriated to recharge underground fresh water bearing sands and aquifers, except the Edwards Aquifer in Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties, if it can be established by expert testimony that an unreasonable loss of state water will not occur and that the water can be withdrawn at a later time for application to a beneficial use.

(f) When it is put or allowed to sink into the ground, water appropriated under Subsection (e) of this Section loses its character and classification as state water and is considered percolating groundwater.

(g) Water considered percolating groundwater in accordance with Subsection (f) of this Section may be regulated by a groundwater district operating pursuant to Chapter 52 of the Texas Water Code.

SECTION 2. This Act applies to an application for a permit to appropriate state water to recharge underground fresh water-bearing sands and aquifers other than the Edwards Aquifer in Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties filed

before, on or after the effective date of this Act.

SECTION 3. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force according to its terms, and it is so enacted.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE
73rd Regular Session

April 2, 1993

TO: Honorable Bill Sims, Chair
Committee on Natural Resources
Senate Chamber
Austin, Texas

IN RE: Senate Bill No. 1304
By: Sims

FROM: Jim Oliver, Director

In response to your request for a Fiscal Note on Senate Bill No. 1304 (relating to the appropriation of state water for recharge of certain water bearing sands and aquifers, except the Edwards Aquifer in Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties) this office has determined the following:

No fiscal implication to the State is anticipated.

The fiscal implication to units of local government cannot be determined.

Source: Water Commission;
LBB Staff: JO, JWH, EC, JLG, JOL

A BILL TO BE ENTITLED

AN ACT: relating to the appropriation of state water for recharge of certain water bearing sands and aquifers, except the Edwards Aquifer in Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties.

_____ Filed with the Secretary of the Senate

MAR 23 1993 _____ Read and referred to Committee on NATURAL RESOURCES

_____ Reported favorably _____

_____ Reported adversely, with favorable Committee Substitute; Committee Substitute read first time.

_____ Ordered not printed

_____ Laid before the Senate

_____ Senate and Constitutional Rules to permit consideration suspended by: { unanimous consent
_____ yeas, _____ nays

_____ Read second time, _____, and ordered engrossed by: { unanimous consent
a viva voce vote
_____ yeas, _____ nays

_____ Caption ordered amended to conform to the body of the bill.

_____ Senate and Constitutional 3 Day Rule suspended by a vote of _____ yeas, _____ nays.

_____ Read third time, _____, and passed by: { A viva voce vote
_____ yeas, _____ nays

SECRETARY OF THE SENATE

OTHER ACTION:

_____ Engrossed

_____ Sent to House

Engrossing Clerk _____

_____ Received from the Senate

_____ Read first time and referred to Committee on _____

_____ Reported favorably amended, sent to Printer at _____

_____ Printed and Distributed _____

_____ Sent to Committee on Calendars _____

_____ Read Second time (amended): passed to third reading (failed)

by (Non-Record Vote) Record Vote of _____ yeas, _____ nays _____ present not voting.

_____ Constitutional Rule requiring bills to be read on three several days suspended (failed to suspend) by a four-fifths vote of _____ yeas, _____ nays _____ present not voting.

_____ Read third time (amended): finally passed (failed) by a (Non-Record Vote) Record Vote of _____ yeas, _____ nays _____ present not voting.

_____ Caption ordered amended to conform to body of bill.

_____ Returned to Senate.

CHIEF CLERK OF THE HOUSE

_____ Returned from House without amendment.

_____ Returned from House with _____ amendments.

_____ Concurred in House amendments by a viva voce vote _____ yeas, _____ nays.

_____ Refused to concur in House amendments and requested the appointment of a Conference Committee to adjust the differences.

_____ Senate conferees instructed.

_____ Senate conferees appointed: _____, Chairman; _____, _____, and _____.

_____ House granted Senate request. House conferees appointed: _____, Chairman; _____, _____, _____.

_____ Conference Committee Report read and filed with the Secretary of the Senate.

_____ Conference Committee Report adopted on the part of the House by: _____

{ a viva voce vote
_____ yeas, _____ nays

_____ Conference Committee Report adopted on the part of the Senate by: _____

{ a viva voce vote
_____ yeas, _____ nays

OTHER ACTION:

_____ Recommitted to Conference Committee

_____ Conferees discharged.

_____ Conference Committee Report failed of adoption by: _____

{ a viva voce vote
_____ yeas, _____ nays

NR